

ZONING BOARD OF APPEALS
MEETING MINUTES
October 14, 2008
4:00 P.M.

CALL TO ORDER: Mr. Carlyle Sims, Chairperson called meeting to order at 4:00 p.m.

ATTENDANCE:

Members Present: Rick Barnes, Deland Davis, Greg Dunn, Mike Fatt, Carlyle Sims and John Stetler

Members Excused: Gentry Hammons, and Jim Moreno

Staff Present: Glenn Perian, Senior Planner; and Leona Parrish, Admin. Assistant; Planning Dept.

ADDITIONS OR DELETIONS TO THE AGENDA: None

Mr. Glenn Perian stated Jim Moreno was not able to attend the meeting and provided an email document for the record noting his opinion regarding each of today's appeals.

Mr. Perian noted to the board per request of the City Attorney's office when voting NO on an appeal each board member need to state the reason(s) for the no vote from the Jurisdiction Checklist #(1 thru 10) conditions outlined from Section 1234.04 of Ordinance.

OLD BUSINESS: None

NEW BUSINESS:

Mr. Carlyle Sims, Chairperson stated the meeting procedures and that everyone present may speak either for or against an appeal. He asked they come forward and state their name and address for the record as the meeting is being recorded.

Appeal # Z-11-08:

Mr. Glenn Perian noted correction to the Z-11-08 Staff Report: (Page 2); should read "I1 zone" in place of "R-1C". Stated this was an appeal from Mr. Albert & Mrs. Irene Jackson, 361 N. Wood Street, Battle Creek, MI 49017 requesting a variance to allow a rebuild of a legal-nonconforming two-unit residence in an I-1 "Light Industrial District" for property located at 402 & 404 Jackson Street. Mr. Perian referenced the photos in the report and noted that the property is currently boarded. Said there is a map of the 1950 zoning showing that the district of "I-1" has been there since 1950 and also in the report is a letter dated May 14, 2008 from Mr. Kim Tuck, Building Superintendent, Inspections Department for the City of Battle Creek had completed an assessment for the approximate cost of repair to be at \$35,000 dollars and that the SEV of this property is \$23,000 dollars.

Mr. Albert Jackson, 361 N. Wood Street, Battle Creek, MI owner of property was present, stated the house had been vacant and that someone had set it on fire. Said the insurance company canceled when they found out no one was living there. He had spoken to the Fire Marshall about the issue, and that they knew who had started the fire, but have not done anything as yet. He has spoke to the police and have not heard anything in response. Said he feels he can rebuild the house and is told that if he tears it down, he cannot rebuild.

Mr. Carlyle Sims stated that to bring it up to City Code he would need estimates to see what the cost would be to rebuild, asked if they had received any estimates. Mr. Jackson stated he had not gotten any estimates as he wanted to get the Zoning Boards approval to rebuild first.

Mr. Greg Dunn suggested it might be in their best interest if they withdraw their petition to get estimates and then bring back to the zoning board. Noted that per Mr. Tuck's report the cost to repair would be more than the SEV; stated once it is denied his only option would be to appeal to Circuit Court.

Mr. Jackson stated he had spoke to the City three different times and with different people and at one time was told he could proceed with the remodel of the house and was not informed that it was estimated at \$35,000 dollars to repair.

Mr. Dunn asked Mr. Jackson when this property was purchased. Mr. Jackson stated 20 years ago.

Mr. Glenn Perian stated the zoning map showed it has been "I-1 Light Industrial" since 1950.

Mr. Dunn stated as part of his appeal the owner needs to research the records and see at what point in time it was a residential zoned area, and show how this property had been used in the past 20 years. Suggested he withdraw and bring back with additional information at the next meeting.

Mr. John Stetler asked Mr. Jackson if he wished to table or postpone until he can get bids to rebuild, etc. or if he wanted the board to make a decision today.

Mr. Jackson stated he wanted to rebuild and would like more time to get the information requested.

Mr. Deland Davis asked Mr. Jackson if it was a two-unit residential before the fire. Owner-Yes.

Mr. Sims asked if there were any persons present to speak in favor or in opposition:

Speak In Favor:

Ms. Irene Jackson, 361 N. Wood Street, (owner) came forward to speak stated the letter received used the wording "rebuild", said if it had nothing there – then it would have to be rebuilt. Said the frame and roof was still intact and inside a wall was demolished and they were in the process of repairing the inside when somebody set it on fire.

Mr. Carlyle Sims asked if they wanted to table for additional time and then bring back for a decision.

Mr. Greg Dunn said to Ms. Jackson that they needed to show it can be rebuilt for less than the SEV and meet code. If it is over half value of the property they cannot grant an appeal.

Speak In Opposition:

Mr. Larry Rizor, 2407 Gethings Rd., part owner of property on Cass St., stated they have nothing personally against renovating a building in this area, but this is an Industrial zone since 1950 and think that with the large vacant land along the river; what is needed is a plan to develop that area to transfer the zoning at some point. With the things afoot going on downtown, it would be premature to renovate an old house and would be better to have a Master Plan for that riverfront development if we are going to ever try to invite housing back into the intercity; the river is quite an amenity. Said this property is

not on the river per-say, but they have quite an investment to build an Office Park in the area where their business is located and want to make sure that the overall plan for that community is consistent with the goals of the community to attract housing into the downtown area. Said this house and this particular location would not be a wise variance to the code at this point. The industrial does not allow it and they would rather see vacant property there than a house renovated; said he is opposed to the renovation of this property and think we need a new Master Plan that is not 50 years old to take advantage of the riverfronts and riverfront property which a lot of it downtown is industrial from Verona Dam, and look at for future development.

Mr. Greg Dunn asked Mr. Rizor if he was aware of any projects that would involve this parcel that would be announced within the next 30 days. Mr. Rizor stated no, he was not.

Mr. Carlyle Sims asked if there were any others here to speak for or against this variance, seeing none he called this public hearing to a close and would entertain a motion.

MOTION: MR. GREG DUNN MADE A MOTION TO TABLE # Z-11-08 VARIANCE UNTIL THE NOVEMBER ZONING BOARD OF APPEALS MEETING TO ALLOW FOR ADDITIONAL INFORMATION (REBUILD ESTIMATES) TO ALLOW A LEGAL NON-CONFORMING TWO-UNIT DUPLEX TO BE REBUILT IN A "I-1 LIGHT INDUSTRIAL DISTRICT FOR PROPERTY LOCATED AT 402 & 404 W. JACKSON STREET, SUPPORTED BY MR. DELAND DAVIS.

Discussion:

Mr. John Stetler noted it was the right of the owner to seek a variance and not based on when they purchased the property. Mr. Glenn Perian stated it was not a matter of fact when they purchased this property.

Mr. Dunn stated he was trying to get to the statement of hardship and practical difficulty, where he said the zoning laws had changed since they purchased this property; wanted to ascertain that it was an accurate statement.

MR. CARLYLE SIMS ASKED FOR ANY ADDITIONAL COMMENTS, BEING NONE A VOTE WAS TAKEN TO TABLE THE VARIANCE UNTIL NOVEMBER 18, 2008 MEETING; ALL IN FAVOR; NONE OPPOSED: MOTION APPROVED.

Mr. Sims asked Mr. Jackson to get the estimates to rebuild and provide them to the Planning Department in time for them to be mailed out with the November meeting packets. Stated he might find after receiving the estimates that it will be less expensive to demolish than to repair.

Appeal # Z-12-08:

Mr. Glenn Perian stated this was an appeal for a variance from Mr. Robert Tuzinowski, 569 Breezy Bluff, Battle Creek, MI to allow the construction of a 1,200 sq. ft. detached accessory building in an "R-1R Single Family Rural Residential District" located at 4494 Beckley Road. Mr. Perian also provided for the board a history of previous decisions made by the board on appeals for accessory buildings. Noted that Mr. Tuzinowski also provided a site plan with his application.

Mr. Bob Tuzinowski, 569 Breezy Bluff, stated he is requesting this variance because he needs more space for storage and this building would be used strictly for storage of personal property. He has two boats, one car, truck, lawn equipment, snow plow equipment that he is paying to be stored. Said his wife buys and sells antiques as a hobby and needs extra space; that 1,000 sq. ft. is not large enough and adequate for their needs. His hardship is they now rent space at Minges Creek Plaza that cost \$88 per month. States if not approved he would have to continue to pay extra money for extra storage, or build two buildings on this parcel which would cost them or they would need to find a different location to build something larger.

Mr. Tuzinowski stated the yard equipment and boat storage would need 1,200 sq. ft. and would look better for the area to store inside as the neighborhood is kept very well in appearance and would use local contractors to build. Stated the house directly across the street to the north at 4493 Beckley Rd. has a 1,200 sq. ft. currently, and also behind which is south of his property owned by Mr. Ken Robuck. He provided photos and property building information regarding additional accessory garages of buildings near his property that are 1,200 sq. ft. or larger than the required 1,000 sq. foot. Mr. Tuzinowski provided the board photos, information and signatures of the neighbors (Mr. Robuck and Mr. Ludwick) approving of his request to build 1,200 sq. ft. building.

Mr. Mike Fatt asked if he lived at 4494 Beckley Road. Mr. Tuzinowski stated no he does not live there, he lives at 569 Breezy Bluff. Said he bought this property as an investment for a number of years and wanted to build a garage for additional storage. This property has 1.1 acres and is a nice neighborhood. Feels the value would increase in the future and intend to rent the property after cleaning it up.

Mr. Fatt asked if he agreed that the three other properties he provided with garages of this size or larger had larger acreage than his property. Mr. Tuzinowski stated, yes, they are as noted on the information. Mr. Fatt noted that one is 175 acres and the smallest is 1.5 acres. Mr. Tuzinowski stated he thinks the one directly across the street is $\frac{3}{4}$ of an acre.

Mr. Davis assumed he knew the size of buildings allowed when he purchased this property. Mr. Tuzinowski said no, he did not look it up because of the others in the area and did not know until he went to pull a permit to build.

Mr. Dunn asked if he wanted to build because of the other buildings in the area and is being driven because of the need to store their accumulation of personal property.

Mr. Tuzinowski stated yes, his boats, cars, trailer, mustang, snow plow, and wife's antiques. Said his lake property at 569 Breezy Bluff is 35 ft at the road and has 80 ft. of water front, cannot keep his boat or trailer there and pay every year for storage for those things.

Mr. Carlyle Sims noted that in one of the photos of the property on Sonoma Rd. was a building that has been there for a long time. Mr. Tuzinowski stated, yes it appears to have been a barn at one time.

Mr. Carlyle Sims asked if there were any others here to speak for or against this variance, seeing none he called this public hearing to a close and would entertain a motion.

MOTION: MR. JOHN STETLER MADE A MOTION TO APPROVE # Z-12-08 TO ALLOW CONSTRUCTION OF A 1,200 SQ. FT. DETACHED BUILDING IN AN "R-1R SINGLE

FAMILY RURAL RESIDENTIAL" ZONED PROPERTY LOCATED AT 4494 BECKLEY RD., SUPPORTED BY MR. DELAND DAVIS.

Discussion:

Mr. Mike Fatt stated this property's lot size does not support this size of garage, that those historically approved previously had two or more acres. Also, Mr. Tuzinowski is looking at this as rental property and just wanted to have storage on his rental property.

Mr. John Stetler stated it is difficult to find approval as it does not meet the criteria of #1 (hardship or practical difficulty); #3 (self created hardship); and #4 (exceptional and peculiar to property and result from conditions which do not generally exist throughout the City). Said if allowed we will see a lot of appeals and as he had stated before; the Planning Commission need to review the City Ordinance regarding the allowable size for Accessory Buildings. Said he cannot find anything unusual to make an exception in this case.

Mr. Deland Davis stated the board does not approve because others have larger buildings. Stated the variance goes with the property and noted the neighbors now approving can change through the years. Said he is struggling to find a practical difficulty beyond an inconvenience and approve.

Mr. Greg Dunn stated that referencing #4 of the criteria; does not see as being unique for this property. Also #7 (alleged hardship or practical difficulty being more than a mere inconvenience or mere inability to attain high financial return) seems to be an inconvenience issue, that he could build two buildings to fit his needs.

Mr. Carlyle Sims said the problem is also that they do not live there and if approved, someone could use the building for a business at a later date and would be a problem in a residential area.

Mr. Tuzinowski stated that the property across the street was only 3/4 of an acre and he has 1.1 acre, that 200 sq. ft. is not that much more of a difference for anyone making noise. Said he does not own any other rental property.

MR. CARLYLE SIMS ASKED FOR ANY ADDITIONAL COMMENTS, BEING NONE A VOTE WAS TAKEN FOR THE VARIANCE; NONE IN FAVOR; ALL OPPOSED: MOTION FAILED. (See Attached Sheet of Zoning Board of Appeals Findings)

Mr. Carlyle Sims stated if they wished to do so, they have an option to appeal to the Circuit Court to overturn this board's decision.

Appeal # Z-13-08:

Mr. Glenn Perian stated this was an appeal from Ms. April Watts, 38 Riverview Avenue, Battle Creek, MI, asking for a variance to allow a detached garage that was destroyed by fire and rebuilt; is asking for it to remain 1 ½ ft. from side-yard property line in a "R-1C Single Family Residential District" for property located at 38 Riverview Avenue. Noted this request is a variance from Chapter 1286 Accessory Buildings and uses in residential districts, which states that detached accessory buildings shall not be closer than 3 feet from all sides and rear lot lines. It should be noted that this particular garage was constructed without permits and also correspondence was received on October 9, 2008 from Rutha L. Newton & Patsy R. Ladd, 34 Riverview Ave. in opposition to this variance request. Mr. Perian

stated he also spoke to Patsy Ladd today who wished to add that she would like another foundation poured and the garage moved onto that poured foundation to meet the code requirements. Mr. Perian noted to the board that overhangs can extend one-foot without being included in the setback, and that this particular overhang is currently a two-foot overhang.

Mr. John Stetler asked if this overhang projects over the adjoining property. Mr. Perian stated the information from Rutha Newton & Patsy Ladd. Said we do not have anything supplied from the appellant as far as a detailed sight plan or survey to show exactly where that garage sits on the property.

Ms. Jessica Watts, 38 Riverview Ave., Battle Creek, MI 49017 (appellants' daughter) came forward to speak stating she lives at this property and built this garage and made the mistake, therefore should answer to the committee. Stated her mother is present, hard of hearing and would not be able to hear at this meeting.

Mr. Carlyle Sims asked Ms. Jessica Watts if she owned this property. Ms. Watts stated she does not own the property and that her mother was present; that she cannot hear and is hard of hearing and is the owner of this property.

Ms. Jessica Watts stated she had the land surveyed to find out where the exact property lines were and is waiting for the results and is asking for 30 days to provide that survey report.

Mr. Carlyle Sims asked if she had seen the letter received from Ms. Newton and Ms. Ladd. Ms. Watts stated no, and she did not want to see it, said they do not live next door and have not lived there in over 3 ½ years and said it is vacant and has been vacant.

Mr. Stetler asked Ms. Watts if she thought the survey would show things substantially different than what has been presented. Ms. Watts stated if she is not allowed to keep her garage, there is no place on her property to put it, said she knows where the garage is now and it has been there for at least 20 years. If she moved it 3 feet to the side and up it would be in the middle of her backyard with her trampoline. Said her garage has always been there. Said she misunderstood what Mr. Kim Tuck had told her, and does not know what the surveyors report will show and know they had told her that at the edge of her driveway looks like they own it, but the property is so old. Said if the board wants her to remove the garage she will and if she can keep it she will keep it.

Mr. John Stetler stated that in one photo it shows a surveyor's stake, was this done recently. Ms. Watts stated yes it had been done recently and is waiting for his report and they gave him \$500 dollars (almost \$600 dollars) they came and put stakes in the ground and was a problem with the back stake between the garages; said she had him come back out which cost the additional \$100 dollars to redo it and this time he spray painted the marks so you could see them.

Mr. Carlyle Sims asked if they contracted someone to build this garage. Ms. Jessica Watts said no, her and her brother had built it, and she had the scars to prove it. She said Mr. Ralph Britton, Fire Inspector was there and that Mr. Kim Tuck; Building Inspector came out the day after the garage had burnt.

Mr. Greg Dunn asked Ms. Watts if she was aware of needing a building permit to build the garage. Ms. Watts said this is where the misconception came in; something about grandfather clause that she had asked about and was told there was no such thing as a grandfather clause anymore. She asked what

about if there was a remaining wall, and they could build around it. Stated she was told they could get around it, and she called the City and was told again the same thing and did not think anything about it, was then told later that if she had not removed the cement floor and had a foundation poured. Said regardless of what Kim Tuck had said to her she should have paid the \$60 dollars and gotten the building permit and went ahead with it, at this point she does not care, if the board wants the garage removed she will remove. She does not have anywhere else to put it and needs the storage.

Ms. April Watts, 38 Riverview Ave., owner came forward and spoke; stating the garage is where it was and did not move it either way except the two-foot overhangs, which can be corrected.

Mr. Greg Dunn referenced a City of Battle Creek Inspection History provided by the Planning Department which stated it was filed on 4/7/2008 and last action was 9/8/2008 showing Mr. Ballard made inspections and noted he spoke to property owner's son on 4/8/2008, who said they would come in a pull a permit and was told they would need a variance as placement is not acceptable with the zoning codes. Stated on 7/7/2008 an inspection was done; and had not complied. It also stated that the garage was built without a permit and may have changed or was relocated, with the overhang being over 12 inches and is now over the property line. Said the work was completed in the winter early 2008 and that all of the foundation was removed and the building was not setback the 3 ft. as required by code.

Ms. Jessica Watts stated that on 4/17/08 they were at their property and that is what Mr. Frank Ballard is stating. Mr. Dunn stated yes, this is what the city records show and do they dispute that the property was inspected.

Ms. Jessica Watts stated if someone came out to inspect, that either her or her mother would have taken care of it and no one came out. She said she spoke to Kim Tuck and did come to the conference room at City Hall downstairs and talked to Kim Tuck and Frank Ballard and she was told to go across the street to Planning for a variance. Said she had her house fire and forgot about the garage and variance etc.

Mr. Greg Dunn asked if they understood the neighbor's point of view; that if it were them and someone built over their property line. Ms. Jessica Watts stated they are not sure where the property line is as they do not have a survey report, and a survey has not been done since they moved there.

Ms. April Watts stated the neighbor built their garage before theirs was built, and why did they not have their land surveyed. Ms. Jessica Watts told her mother it did not matter that they had theirs surveyed and have the report coming.

Mr. John Stetler asked when the survey report will be available. Ms. Jessica Watts stated sometime within the next week or two is what she was told.

Mr. John Stetler asked if they wished to table at this time until they can provide the survey report. Ms. Jessica Watts said yes, this would be great.

Mr. Greg Dunn stated if this survey shows that the garage is within the 3 ft. setback or if the garage roof overhangs the property survey line, they will need to remove the garage. If a permit had been pulled it could have been prevented and that everyone has a right to their own property.

Ms. Jessica Watts stated if it shows it is not overhanging on the property and asked when is the City going to be fair to them; why do they not go and measure the neighbors garage because they are not 3 ft. away either.

Mr. Greg Dunn stated they are here today regarding their property and if they are unhappy with the neighbors they have the right and can file a complaint with City.

Mr. John Stetler stated since they paid for a survey, he is encouraging to continue today with the public hearing and when she has the survey to bring it back before the board and table the decision for today.

Ms. Jessica Watts stated they can be told to tear down the garage today and they would then take it to Circuit Court. Ms. April Watts stated she did not understand why the city is not doing anything to the neighbors and just to them. Ms. Jessica Watts said they will take it to Circuit Court.

Mr. Greg Dunn asked if they then wished to proceed with the appeal as it is today. Ms. Jessica Watts said either way; if the board is telling her essentially that the garage is going to have to come down. Said if someone surveyed their property without her knowledge, it could have saved her \$600 dollars.

Mr. Carlyle Sims stated the City did not survey their land and that if the property stake is present; Mr. Ballard is an efficient inspector and if he sees stakes and property lines he can make a determination.

Ms. Jessica Watts asked if it could be held off until the next meeting, she would figure out something and that she has the survey report coming.

Mr. Carlyle Sims asked if there were any others here to speak for or against this variance, seeing none he called this public hearing to a close and would entertain a motion.

MOTION: MR. JOHN STETLER MADE A MOTION TO TABLE # Z-13-08 VARIANCE UNTIL NEXT MEETING TO ALLOW FOR THE SURVEY REPORT TO BE AVAILABLE FOR PROPERTY LOCATED AT 38 RIVERVIEW AVENUE, SUPPORTED BY MR. MIKE FATT.

Discussion: None

MR. CARLYLE SIMS ASKED FOR ANY ADDITIONAL COMMENTS, BEING NONE A VOTE WAS TAKEN TO TABLE THIS VARIANCE; ALL IN FAVOR; NONE OPPOSED: MOTION APPROVED.

Mr. Carlyle Sims stated this would allow them the opportunity to provide additional information and come back next month for a decision.

Mr. Perian asked Ms. Jessica Watts if they would provide us with a copy of the survey as soon as possible in order for the Zoning Board to review before the next meeting. Ms. Jessica Watts said she would drop it off as soon as she receives it from the surveyor.

Appeal # Z-14-08:

Mr. Glenn Perian stated this was a variance request from Westbrook Place. Stated the balcony was approximately 6 inches into the rear property line setback at 166 & 178 West Street, commonly known as The Residences at Westbrook Place. The property is zoned R-3B "Multiple Family Residential District". Said the requirement is a 25 ft. rear yard setback, the project conformed with the site plan approval and zoning ordinance setback requirements. Noted as the project was finishing a final survey was done and discovered that the upper balcony's were six-inches into the setback line. Some how the foundation had gotten shifted during construction and the property owners were in the process of getting final right-offs from the city saying the project was in compliance with zoning code requirements. This request is to allow those two upper balconies to remain 6 inches into the rear-yard setback.

Mr. John Dupont, 4835 Town Center Rd., Saginaw, MI, states he represents the ownership of the Residences of Westbrook Place and is here today to ask for the board's consideration on this request. Stated this situation resulted from miscalculations and would like to point out the hardship of remodeling of this would be extensive well into five figures and the overall improvement would be negligible. There is a 25 ft. setback to Regional Medical Lab that is under extensive construction at this time, basically the tenants look up at the back of their building which was once a one-story structure and is now a three-story structure. The point is they would have to vacate units and would become a problem, other than that they feel they serve a very important need in Battle Creek and ask for the boards understanding.

Mr. Greg Dunn stated that they thought it was a miss calculation; could it also be possible that with the construction directly adjacent at Regional Lab could have caused the foundation to shift slightly. Mr. Dupont stated in all honesty, he would be surprised and cannot misrepresent that suggestion. Stated that the 25ft setback is more than sufficient and have not spoke with the Regional people, but do not think it would cause a problem for them.

Mr. Carlyle Sims asked if it was just the balcony. Mr. Dupont stated yes, just six or eight inches.

Mr. Glenn Perian stated that in mentioning the Regional Lab new addition, he recalls they recently came before the Zoning Board requesting a parking setback variance and received approval, stated part of that approval was the existing wall and burn.

Mr. John Stetler asked Glenn Perian if the City required an "as built" survey. Mr. Perian stated no, they do not.

Mr. Dupont stated they initiated the survey, as a professional developer in good faith brought it to the city's attention. Mr. Perian stated they were finishing up their final housekeeping and wanted the City to sign-off and they are in compliance with all city codes and this was brought about with the survey they had supplied for the city to sign-off on.

Mr. Greg Dunn wanted to commend the developer for bringing the survey results to the attention of the City and think it is a slight oversight and that there is substantial public good coming from the type of housing that is being provided by Residences at Westbrook Place.

Mr. Sims asked if there was anyone here to speak for or against this variance, seeing none he called this public hearing to a close and would entertain a motion.

MOTION: MR. GREG DUNN MADE A MOTION TO APPROVE # Z-14-08 TO ALLOW AN EXTENTION OF THE REAR-YARD SETBACK FOR PROPERTY LOCATED AT 166 & 178 WEST STREET, SUPPORTED BY MR. MIKE FATT.

Discussion: None

MR. CARLYLE SIMS ASKED FOR ANY ADDITIONAL COMMENTS, BEING NONE A VOTE WAS TAKEN FOR THE VARIANCE; ALL IN FAVOR; NONE OPPOSED: MOTION APPROVED.

APPROVAL OF MINUTES:

MOTION WAS MADE BY MR. DELAND DAVIS TO APPROVE THE SEPTEMBER 9, 2008 ZONING BOARD OF APPEALS MINUTES AS SUBMITTED, SUPPORTED BY MR. MIKE FATT. ALL IN FAVOR, NONE OPPOSED, MOTION CARRIED - APPROVED.

COMMENTS BY THE PUBLIC: None

COMMENTS BY THE MEMBERS / STAFF:

Mr. Carlyle Sims thanked the Planning Staff for material received for this meeting in a timely manner.

Mr. Greg Dunn asked Mr. Perian if he could work with Mr. and Mrs. Jackson from the first appeal regarding any estimates they might have to be made available to them prior to the meeting in addition to the survey results from Ms. Watts appeal.

Mr. Mike Fatt asked regarding Mr. Jacksons appeal being tabled until next meeting; what happens if he does not have the information ready for that meeting.

Mr. Perian stated it would then be pulled off the table regardless, and then more time could be extended if needed or act off the information the board has at that time.

Mr. Carlyle Sims asked if this property is in the Dangerous Building process, as it has been boarded-up and secured. Yes, we believe it has been brought to the attention of Code Compliance Department.

ADJOURNMENT: Meeting adjourned at 5:09 p.m.

Submitted by: Leona A. Parrish
Administrative Assistant, Planning Department